

ASSIGNED

Serial No. 23691

**APPLICATION FOR PERMISSION TO CHANGE POINT OF DIVERSION, MANNER
OF USE AND PLACE OF USE OF THE PUBLIC WATERS OF THE
STATE OF NEVADA HERETOFORE APPROPRIATED**

Date of filing in State Engineer's Office FEB 13 1967

Returned to applicant for correction FEB 20 1967

Corrected application filed FEB 28 1967 Map filed FEB 28 1967

The applicant Diesel Control Corporation of Nevada
of Box 843, Winnemucca, County of Humboldt

State of Nevada, hereby makes application for permission to change the
point of diversion and place of use of a portion

Permit
of water heretofore appropriated under 21808

(Identify existing right by Permit, Certificate, Proof or Claim Nos. If Decreed, give title of Decree and identify right in Decree.)

1. The source of water is Underground
(Name of stream, lake or other source.)
2. The amount of water to be changed 2.67 c.f.s.
(Second feet, acre feet.)
3. The water to be used for irrigation and domestic
(If for stock state number and kind of animals.)
4. The water heretofore used for irrigation and domestic
(If for stock state number and kind of animals.)
5. The water is to be diverted at the following point NE $\frac{1}{4}$, NE $\frac{1}{4}$, Section 4, T. 34 N., R. 37 E.

M.D.B.&M., or at a point from which the NE corner of said Section 4.
(Describe as being within a 40-acre subdivision of public survey and by course and distance to a section corner. If on unsurveyed land, it should be stated.)
bears N. 87° 03' E. 1224.8 feet.

6. The existing point of diversion is located within NW $\frac{1}{4}$, NW $\frac{1}{4}$, Section 31, T. 35 N., R. 38 E.
M.D.B. & M., or at a point from which NW corner of said Section 31.
(If point of diversion is not changed, do not answer.)
bears N. 45° 00' W. 75.0 feet.

7. Proposed place of use NE $\frac{1}{4}$ of Section 4, T. 34 N., R. 37 E. M.D.B.&M.
(Describe by legal subdivisions. If for irrigation state number of acres to be irrigated.)
160 acres within Pershing County.

8. Existing place of use E $\frac{1}{2}$, E $\frac{1}{2}$ of Section 31, T. 35 N., R. 38 E. M.D.B.&M.
(Describe by legal subdivisions. If presently used for irrigation, state number of acres irrigated.)
160 acres within Humboldt County.

9. Use will be from January 1 (Month) to December 31 (Month) of each year.
10. Use has been from January 1 (Month) to December 31 (Month) of each year.

11. Description of proposed works.

Well, pump, and pipelines

(Under the provisions of NRS 535.010 you may be required to submit plans and specifications of your diversion or storage works.)

(State manner in which water is to be diverted, whether by dam or other works, whether through pipes, ditches, flumes, or other conduits.)

12. Estimated cost of works \$10,000

13. Estimated time required to construct works works are complete

14. Remarks

Compared dh/dp jw/jb

Applicant Diesel Control Corporation of Nev.

By s/ Charles C. Armuth, Jr.
Charles C. Armuth, Jr., Agent

APPROVAL OF STATE ENGINEER

This is to certify that I have examined the foregoing application, and do hereby grant the same, subject to the following limitations and conditions: This permit to change the point of diversion and place of use of a portion of the waters of an underground source as heretofore granted under Permit 21808 is issued subject to the terms and conditions imposed in said Permit 21808 and with the understanding that no other rights on the source will be affected by the change proposed herein. The well shall be equipped with a 2-inch opening, an air line and a weir or other type of measuring device at or near the well to facilitate the measurement and control of the water. If well is flowing, a valve must be installed and maintained to prevent waste. The State reserves the right to regulate the use of the water under this proposed change at any and all times.

The amount of water to be changed shall be limited to the amount which can be applied to beneficial use, and not to exceed 2.67 cubic feet per second but not to exceed a

yearly duty of 4.0 acre-feet per acre of land irrigated from any and/or all sources.

Actual construction work shall begin on or before

March 26, 1968

Proof of commencement of work shall be filed before

April 26, 1968

Work must be prosecuted with reasonable diligence and be completed on or before March 26, 1969

Proof of completion of work shall be filed before

April 26, 1969

Application of water to beneficial use shall be made on or before

March 26, 1971

Proof of the application of water to beneficial use shall be filed on or before

April 26, 1971

Map in support of proof of beneficial use shall be filed on or before

April 26, 1971

Commencement of work filed Nov. 8, 1967

IN TESTIMONY WHEREOF, I, ROLAND D. WESTERGARD,

Completion of work filed Nov. 8, 1967

State Engineer of Nevada, have hereunto set my hand and the seal of

Proof of beneficial use filed OCT 1 1970

my office, this 26th day of September

Cultural map filed OCT 1 1970

A.D. 1967

Certificate No. 7572 Issued 3/10/71

John D. Westergard

Recorded 3/19/71 Bk. 32 Pg. 175

State Engineer

Amended J.S. b/w d 5/26/72

John D. Westergard

Recorded 6/2/72

John D. Westergard

Roll 40 Pg 201

John D. Westergard

Post 34728

John D. Westergard

Abrogated By

John D. Westergard